



# PUBLIC NOTICE

**File Number: NRS 14.340**

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Pursuant to Chapter 0400-4-7 of the Department's rules, the proposed activity described below has been submitted for approval under an Aquatic Resource Alteration Permit and §401 Water Quality Certification. This notice is intended to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. No decision has been made whether to issue or deny this application.

**APPLICANT:** Tennessee Department of Transportation  
Environmental Permits Section  
Suite 900, James K. Polk Bldg.  
505 Deaderick St.  
Nashville, TN 37243  
615-253-2466

**LOCATION:** Project #36010-1215-14 (A) PIN #100322.04 - Widen SR 128 from South of Opel Road to SR 15 (US64) at Unnamed Tributary to Julius Pond Branch, Town Branch and an Unnamed Tributary to Town Branch. Hardin County (Lat: 35.2007/Lon: -88.2446).

**PROJECT DESCRIPTION:** The applicant proposes to Widen SR 128 from South of Opel Road to SR 15 (US64) at Unnamed Tributary to Julius Pond Branch, Town Branch and an Unnamed Tributary to Town Branch.

Impact 1: Latitude: 35.2007 Longitude: -88.2446  
Wetland Station 874+10(Rt.) to Sta. 875+10(Rt.)

Permanent impact (filling) to 0.03 acre of wetlands.  
Wetland Debit 0.0

Impact 2: Latitude: 35.2023 Longitude: -88.2452  
Unnamed trib. To Julius Pond Branch Station 880+58.32

Existing 53 ft. of 8X5' box culvert (to be removed) and 116 ft. of open stream to be replaced with 122 ft. of 8X6 box culvert with 23' riprap lined channel at the inlet and 24' riprap lined channel at the outlet.  
Debits: 122

Impact 3: Latitude: 35.2100 Longitude: -88.2463  
Unnamed trib. To Town Branch Station 945+66.71

Existing 160 ft. of 72" CMP, 94 ft. of 6X5' box culvert and 46ft. of 6X5' box culvert (total 300' to remain) and 83 ft. of open stream. Proposed extension of first culvert 14 ft. the second culvert by 53 ft. and the third by 16 ft. for a total extension of 83 ft.

Debits: 83

Impact 4: Latitude: 35.2224

Longitude: -88.2466

Town Branch

Station 954+43+/-

Existing 142 ft. of 8X5' box culvert (to be removed) and 239 ft. of open stream to be replaced with 230 ft. of 12X10' box culvert with 15' of riprap at the inlet and 36' of riprap at the outlet and 100 ft. open stream relocation.

Debits: 230

### **MITIGATION REQUIRED**

As mitigation for 435' of stream encapsulation the applicant proposes purchasing 435 credits from the Tennessee Stream Mitigation Program.

**DEGRADATION:** In accordance with the Tennessee Antidegradation Statement (Rule 0400-40-03-.06), the division has determined that the proposed activities will not result in degradation to water quality.

**WATERSHED / WATERBODY DESCRIPTION:** Town and Julius Pond Branch flow into Mud Branch (TN06040001001T\_0999) which is part of the Tennessee River Basin (Pickwick Lake) Located in Middle Tennessee and Alabama, the Tennessee portion of the Pickwick Lake Watershed includes parts of Hardin, Lawrence and Wayne counties. It is approximately 639 square miles and empties to Kentucky Lake (Tennessee River) watershed. This watershed encompasses 9 counties and drains approximately 1,870 square miles. For more information on this watershed please visit <http://www.state.tn.us/environment/water/watersheds/lower-tennessee-river.shtml>

Stream name (TN06040001001T\_0999) is in the Northern Hilly Gulf Coastal Plain ecoregion (65e). The channel dimensions are as follows: channel bottom width 15', channel top width 40', water depth 2', and bank height 20'. Typical substrate in this section is comprised of gravel and hardpan clay.

Stream name was assessed in 2014. It is supporting its designated uses. The specific uses that are not meeting use support and the causes are as follows: habitat. Therefore the stream is available/unavailable/an ETW and unavailable for additional impacts to habitat.

**Stream Name / ID #:** Misc. tributaries to Mud Branch (TN06040001001T\_0999)

**Ecoregion:** Northern Hilly Gulf Coastal Plain ecoregion (65e)

**Stream Dimension:** Channel bottom width 15'  
Chanel top width 40'  
Water depth 2'  
Bank height 20'

**Substrate:** gravel/hardpan clay

Designated Use	Use Support	Causes
Fish and aquatic life	fully supporting	
Recreation	fully supporting	
Industrial water supply	fully supporting	
Irrigation	fully supporting	
Livestock watering & wildlife	fully supporting	

This stream is available for additional impacts to habitat. You may remove this sentence if the stream does not require mitigation.

**Assessment Date:** January 20, 2015

**PERMIT COORDINATOR:** Brian Canada

**FACTORS CONSIDERED:** In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

**COMMENTING:** Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced. Send all written comments to the department's address listed below and to the attention of the permit coordinator.

**PUBLIC HEARING:** Interested persons may request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing. Send all public hearing request to the department's address listed below and to the attention of the permit coordinator.

**APPEAL:** A permit appeal may be filed, pursuant to T.C.A. §§ 69-3-105(i) and Rule 0400-40-05, by the permit applicant or by any aggrieved person who participated in the public comment period announced by this notice. This petition must be filed within THIRTY (30) DAYS after public notice of the issuance of the permit. The petition must specify what provisions are being appealed and the basis for the appeal. It should be addressed to the technical secretary of the Tennessee Board of Water Quality, Oil and Gas at the following address: Dr. Sandra Dudley, Director, Division of Water Resources, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Ave, 12<sup>th</sup> floor, Nashville, TN 37243. Any hearing would be in accordance with T.C.A. §§69-3-110 and 4-5-301 et seq.

**FILE REVIEW:** The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address (listed below) for review and/or copying.

Tennessee Department of Environment & Conservation  
Division of Water Resources, Natural Resources Unit  
William R. Snodgrass Tennessee Tower  
312 Rosa L. Parks Avenue, 11th Floor  
Nashville, Tennessee 37243









